

REMARKS

Claims 1-3, 17-26 and 29-30 will be pending following entry of this amendment. Claims 1, 18, 24, 29 and 30 are amended to more specifically recite the claimed subject matter.

Provided herewith is a supplemental information disclosure statement and PTO Form 1449.

Claim Rejections under 35 U.S.C. §102 (b)

The Office Action rejects claims 1-3 and 17-30 under 35 U.S.C. §102 (b) as anticipated by US patent no. 5,972,923. The Office Action alleges that the reference teaches the use of polyphenolic compounds, such as quercetin and kaempferol for the treatment of conditions associated with neuron loss, such as Alzheimer's disease.

Applicant respectfully submits that quercetin and kaempferol are not within the scope of the amended claims. Further, the reference does not disclose use of any compound within the scope of the amended claims. Therefore, the claims are not anticipated by US patent no. 5,972,923.

CONCLUSION

In light of the above remarks, Applicant respectfully requests that the Examiner reconsider this application with a view towards allowance. The Examiner is invited to call the undersigned attorney if a telephone call could help resolve any remaining issues.

No fee is believed to be due with this amendment. However, if it is determined that any fees are due, authorization is given to charge any necessary fees to Jones Day Deposit Account No. 50-3013 (Order No. 712576-999002).

Respectfully submitted,

Date: June 17, 2008

By Megha Bhuralkar (Reg No. 44,536)

For: Dale L. Rieger (Reg. No. 43,045)
JONES DAY
222 East 41st Street
New York, New York 10017
(858) 314.1200